

REMARKS

Status of the application

Claims 1-11 are pending in the application. Claims 1-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al., US Publication 2001/0011373, in view of Kondo et al., U.S. Patent 6,763,522.

Claim rejections

Applicant respectfully traverses the claim rejections.

The Examiner asserts that Inoue discloses “in response to a command to enter an EPG mode, displaying EPG information of N channels, which EPG information has been previously stored”, as recited in claim 1. However, this is not what Inoue discloses. Rather, the “receiving apparatus 1 extracts the all stations SI from the TS [transport stream] of the channel, which is currently received, and obtains the date and time data include in this all stations SI (step 4)” (para. 114). Thus, when an EPG table is to be displayed, such as when a command to display an EPG table might be entered, a number of steps are performed as can be seen in FIG. 8, including obtaining date and time data from all stations SI (S4), obtaining EPG display data for 8 days from the day of viewing (S8) and obtaining EPG display data for the time and the channels (S18). Thus upon entering the EPG display process, the system of Inoue obtains the EPG data to be displayed and displays that obtained EPG information, rather than displaying “previously stored” EPG information, as recited in claim 1. This feature of claim 1 is thus not disclosed by Inoue. As can be seen below, it is not disclosed by Kondo either.

The Examiner asserts that Kondo discloses “whenever a selection channel is selected from among the N channels for which the EPG information is displayed, tuning the selection

channel and updating corresponding EPG information”, as recited in claim 1. Kondo discloses a system for updating program and system information: “If the presently broadcasting information is more contemporaneous than the stored information, the stored information is updated, or replaced, with the presently broadcasting information to enable display of only actively broadcasting minor channels and up-to-the-minute event and contextual information” (abstract).

This is done in order to ensure that “the electronic program guide displays only ... timely event and contextual information” (abstract). In one disclosed embodiment of Kondo,

once a channel has been selected, the viewer signals the system, using either a local or remote keypad, to tune to the selected channel. The system receives the change channel request, displays the selected channel video, and updates the program and system information of the newly selected channel prior to displaying the updated EPG (col. 7, ll. 59-65).

Kondo may here appear to teach updating the EPG information for a channel when a viewer tunes to that channel. However, in the paragraph before, Kondo discloses that “It is also understood, in view of the foregoing disclosure and as will be discussed below, that *all PSI displayed in the EPG(s) represent data that has been either validated or updated just prior to display*” (col. 7, ll. 52-55). Thus Kondo explicitly teaches that EPG information, *for all channels*, is updated before being displayed (also, “it is evident in view of the foregoing discussion that the system and EPG of the present invention displays only validated, or updated, program and system information” (col. 12, ll. 24-26)). Kondo’s updating a channel when it is tuned to (col. 7, ll. 59-65) is thus to be understood in the context of the entire disclosure, which is emphatic that “*all PSI displayed in the EPG(s) represent data that has been either validated or updated just*

prior to display" (col. 7, ll. 52-55). This is comparable to the prior art system shown in present FIGS. 1-2, in which EPG data for all channels is gathered when an EPG mode is entered.

One of skill in the art would not have cherry-picked the disclosed updating upon selecting a channel disclosed in Kondo, and left the remaining teachings, because such a course would go against the repeated disclosed purpose of Kondo to display only validated or updated information. The present invention as claimed in claim 1 displays information previously stored, and thus is incompatible with the teaching of Kondo. An application of a reference that would render it inoperable for its intended purpose cannot support a claim rejection (MPEP § 2143.01(V)). Kondo thus strongly teaches away from the invention as claimed in claim 1. Inoue and Kondo do not disclose all of the elements of claim 1, and it would not have been obvious to one of ordinary skill in the art at the time of the invention in possession of Inoue and Kondo to practice the invention as claimed in claim 1.

Claim 1 recites "in response to a command to enter an EPG mode, displaying EPG information of N channels, which EPG information has been previously stored", and then updating a selection channel when that channel is tuned to. Embodiments of the present invention have the advantage of providing EPG information more rapidly than systems which obtain EPG information for the displayed channels when an EPG mode is entered (such as the prior system shown in FIGS. 1 and 2) (specification, paras. 14-15). No reasonable or obvious combination of Inoue and Kondo would provide this advantage, because the systems of Inoue and Kondo are like the prior system of FIGS. 1-2: they enter an EPG mode and then obtain EPG information to display, rather than displaying previously stored information, as recited in claim 1.

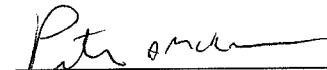
Claim 1 is therefore patentable over the cited references. The remaining independent claims have analogous features and are therefore similarly patentable. The remaining claims are patentable at least due to their dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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